

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of

Restoring Internet Freedom

)

WC Docket No 7-108 - Para. 68

Comments of Common Sense Kids Action

Common Sense Kids Action (“Common Sense”) respectfully submits these comments in response to the Commission’s above-captioned proceeding concerning the importance of broadband services in the Commission’s Lifeline program.¹ We urge the Commission to ensure that nothing in this rulemaking hinders the ability of the Lifeline program to help low-income families afford broadband service.

Common Sense Kids Action is the policy arm of Common Sense Media, an independent, nonpartisan voice for America's children that helps parents, children, and teachers thrive in the complex world of media and technology. Common Sense rates media and technology for parents and teachers, educates parents and teachers about smart choices for their kids online, and advocates for policies at the state and national levels that promote investment in children’s education and overall well-being. Common Sense has an uncommon reach among parents and teachers, with 65 million users and more than 498,000 member teachers in 49% of U.S. public schools.

Common Sense has a long and successful track record of advocating for children’s access to high-speed internet. Common Sense strongly believes access to broadband internet is a

¹ This filing responds to the Commission’s request for comments on how to “support broadband” through the Lifeline Program, in Paragraph 68 of the Notice of Proposed Rulemaking. Common Sense does not take a position regarding any other proposals or policies in the Notice.

necessity for all communities and children to succeed in the 21st century. For this reason, Common Sense was a key supporter of both the FCC's ConnectEd program and its 2014 E-rate Modernization Orders. We are currently working with states and school districts across the country to help them take advantage of new E-Rate resources. And we are a national partner in the U.S. Department of Housing's ConnectHome program.² As part of our effort to secure universal connectivity, Common Sense also supported the 2016 Lifeline Modernization Order, which allowed consumers to use Lifeline subsidies for broadband services. In order for kids and families to fully take advantage of broadband, they need access at home and at school. We continue to support increasing broadband access for low income-families and, for the reasons set forth below, believe it is important that standalone broadband services remain covered under the Lifeline program.

The Importance of Broadband

As of 2014, nearly one quarter of American households still did not have internet access.³ More than 19 million Americans—6 percent of the population—are located in areas where broadband networks are not even currently available.⁴ This lack of broadband access across our nation has a tremendous impact on our children's ability to receive a quality education. Far too many low-income students lack access to high capacity broadband outside of school, which limits their ability to complete assigned homework and fully benefit from digital learning opportunities. In 2015, the Pew Research Center found that approximately 5 million households with school-age children do not have high-speed internet service to utilize for learning when they

² See <https://www.commonsense.org/education/connecthome>

³ "The Digital Divide and Economic Benefits of Broadband Access", *Council of Economic Advisors*, March 2016, <https://obamawhitehouse.archives.gov/administration/eop/cea/factsheets-reports>

⁴ "Eighth Broadband Progress Report", GN Docket No. 11-121, adopted August 21st, 2012, https://apps.fcc.gov/edocs_public/attachmatch/FCC-12-90A1.pdf

are at home.⁵ This shortage is especially pronounced among lower income families, as 60.3 percent of homes with an income under \$25,000 lack broadband access.⁶ Lower-income black and Hispanic households are also disproportionately affected, as they are 10% less likely to have high speed internet access than comparable white households.⁷

This disparity has created what many experts refer to as a “homework gap,” where children are assigned homework that they cannot complete because they lack adequate internet connection at home.⁸ This is especially problematic in today’s modern educational landscape, as 70% of teachers assign homework requiring access to the internet.⁹ Children without broadband at home are often forced to seek alternative methods of connectivity, such as traveling to a commercial location with free Wi-Fi or a public library. These alternatives can be burdensome for students—for example, public libraries often have time limits on internet use and lines of patrons waiting to use library computers. Beyond their difficulty in coming to school prepared each day, these students’ challenges are further exacerbated by the fact that their parents have greater difficulty viewing grades online, contacting teachers, and visiting school websites. Low-income children are already at risk for lower academic achievement for a multitude of reasons; it is important that we take all available steps to ensure a lack of access to high speed internet does not compound these problems.

It is also important to note that providing affordable broadband access to low-income

⁵ Horrigan, John B.. “The Numbers Behind the Broadband 'Homework Gap,’” Pew Research Center, published April 20, 2015, <http://www.pewresearch.org/fact-tank/2015/04/20/the-numbers-behind-the-broadbandhomework-gap/>.

⁶ *Id.*

⁷ *Id.*

⁸ See Rosenworcel, Jessica, “How to Close the ‘Homework Gap,’” Miami Herald, (Dec. 5, 2014), <http://transition.fcc.gov/files/documents/how-close-to-the-homework-gap-rosenworcel-editorial.pdf>

⁹ Stewart, Kat, “Cox Proudly Extends its Commitment to Connect2Compete,” National Cable and Telecommunications Association (NCTA), published August 19, 2014, <https://www.ncta.com/platform/industry-news/cox-proudly-extends-its-commitment-toconnect2compete/>.

households does not simply increase opportunities for individual families, but can have positive effects on the economy as a whole. Many studies have shown that home broadband penetration is highly correlated with increased GDP¹⁰ as well as local economic growth.¹¹ The U.S. Department of State has predicted that even a modest increase in spending on broadband infrastructure can be expected to create tens of thousands of long-term jobs.¹² In a modern economy people use the internet to apply for jobs, pursue online degrees, complete job training, research companies and organizations, connect with professional networks, and better communicate with employers. As the general workforce continues to experience heightened online demands, research suggests broadband access will play a crucial role in maintaining high employment rates, especially in rural counties.¹³ Beyond connectivity's impact on the labor market, other studies have also explored additional socioeconomic benefits such as better access to health care and increased civic engagement.¹⁴

Broadband in the Lifeline Program

The inclusion of broadband in Lifeline is an important step in closing the “homework gap,” even if additional efforts will also be required to ultimately overcome such a complex problem. The Lifeline program is well equipped to combat limited broadband access, as it has successfully provided telecommunication services to low income families for over thirty years and continues to improve as a program. In recent years, the FCC has worked diligently to make

¹⁰ See Najarzadeh, Reza, *et al.*, “Does the Internet Increase Labor Productivity? Evidence from a Cross-country Dynamic Panel.” *Journal of Policy Modeling* 36 (6), 986 (2014).

¹¹ See Whitacre, Brian, *et al.*, “Broadband’s Contribution to Economic Growth in Rural Areas: Moving Towards a Causal Relationship.” *Telecommunications Policy* 38 (11), 1011 (2014)

¹² See “U.S. Department of State filing to Internet Public Policy Working Group at ITU”, https://www.itu.int/dms_pub/itu-s/md/17/rcintpol9/c/S17-RCLINTPOL9-C-0004!!MSW-E.docx (February 2017)

¹³ See Atasoy, Hilal. “The effects of broadband internet expansion on labor market outcomes,” *Industrial & Labor Relations Review* 66 (2), 315 (2015).

¹⁴ See Finklestein, Stanley, *et al.*, “Home Telehealth Improves Clinical Outcomes at Lower Cost for Home Healthcare.” *Telemedicine Journal and e-Health* 12(2), 128 (2006); See also Tolbert, Caroline, *et al.*, “Unraveling the Effects of the Internet on Political Participation.” *Political Research Quarterly* 56(2), 175 (2003).

Lifeline more effective and accountable, implementing measures aimed at cutting down on waste, fraud, and abuse. Reform efforts in 2012 saw the creation of a comprehensive eligibility database, set a one device per-household rule, and established a savings target for the first time.¹⁵ In 2016 the FCC continued these efforts by creating a National Eligibility Verifier and establishing a budget mechanism.¹⁶ The Eligibility Verifier will remove the applicant approval process from the individual providers, allowing for a more centralized system with far more oversight and limiting provider opportunities for abuse. This will help ensure that all individuals receiving Lifeline funds meet the program's income requirements, significantly reducing the potential for fraudulent accounts. The newly created budget mechanism, meanwhile, will stabilize the financial future of the Lifeline program while guaranteeing access to all eligible consumers.

The importance of broadband access and Lifeline's potential to support it are both currently at an all-time high, as is reflected by public opinion. Today, more than 75% of Americans believe that the internet is essential in a 21st century economy.¹⁷ There is also widespread bipartisan agreement that the federal government should provide funding to help low-income Americans afford internet access, with 70 percent of the country (including a majority of both Democrats and Republicans) supporting such a policy.¹⁸ The overwhelming support for government subsidization of internet access, coupled with a newly modernized Lifeline, present an excellent opportunity to increase broadband connectivity across the nation.

Concerns for the Future

¹⁵ "2012 Lifeline Reform Order", 27 FCC Rcd 6656 (2012)

¹⁶ "Lifeline & Link Up Reform & Modernization", Order on Reconsideration, 31 FCC Rcd 3962, (2016).

¹⁷ "New Poll: Americans Overwhelmingly Support Existing Net Neutrality Rules, Affordable Access, and Competition Among ISPs", *Freedman Consulting, LLC*, July 10, 2017, http://tfreedmanconsulting.com.routing.wpmanagedhost.com/wp-content/uploads/2017/07/Tech-Policy-Poll-Summary_Final_20170710.pdf

¹⁸ *Id.*

While this filing takes no position on the Commission’s general proposals regarding Title II reclassification, we are acutely concerned about how Lifeline will sustain funding for standalone broadband providers if broadband loses its Title II designation. In the 2016 Modernization Order, the conclusion that Lifeline funds could be used to support standalone broadband was derived from the Commission’s decision in the *Open Internet Order* that “BIAS is a telecommunications service subject to our regulatory authority under Title II.”¹⁹ Upon possible revocation of this regulatory authority, we share the worries expressed by Commissioner Clyburn in her dissent, wondering how the FCC will manage to “bridge the affordability gap for those who cannot afford advanced telecommunications service.”²⁰

We wholeheartedly agree with Chairman Pai’s assertion that “closing the digital divide” should be one of the Commission’s “core priorities” going forward.²¹ The Chairman’s public statements also seem to acknowledge the important role broadband plays in this effort, as he has made sure to specifically mention broadband internet when talking about the future of Lifeline.²² Yet, while *Paragraph 68* of this docket does propose “maintaining support for broadband services,” it is unclear how this goal will be actualized.

In this current period of uncertainty, we urge the Commission to ensure that nothing in this rulemaking will impair the ability of the Lifeline program to help low-income families afford broadband service. We expect that if broadband retains its Title II status the commission will proceed with implementing Lifeline modernization as scheduled. If Title II status were to be

¹⁹ “Lifeline and Link Up Reform,” at 3976 n. 92 (*citing* “Protecting and Promoting the Open Internet”, Report and Order on Remand, Declaratory Ruling and Order, 30 FCC Rcd 5601, 5743-45, paras. 331-35 (2015))

²⁰ “Restoring Internet Freedom,” Notice of Proposed Rulemaking, WC Docket No. 17-108, released May 23rd, 2017, (Dissenting Statement of Commissioner Mignon L. Clyburn), https://apps.fcc.gov/edocs_public/attachmatch/FCC-17-60A1.pdf

²¹ Remarks of Ajit Pai, Chairman, FCC (Sept. 17, 1999), https://apps.fcc.gov/edocs_public/attachmatch/FCC-17-60A1.pdf

²² “It’s vital that low-income Americans have access to communications services, including broadband internet, which Lifeline helps to achieve.” Pai, Ajit, “Setting the Record Straight on the Digital Divide” (February 7th, 2017), <https://medium.com/@AjitPaiFCC/setting-the-record-straight-on-the-digital-divide-615a9da1f2d1>

revoked, we call on the Commission to offer a straightforward and transparent plan on how it will ensure families relying on standalone broadband services do not lose coverage. There should be no doubt of the Commission's ongoing commitment to connecting children and families to affordable high-speed internet.

Respectfully Submitted,

Ariel Fox Johnson
Senior Policy Counsel

Evan Curdts
Legal Intern

July 17th, 2017

Common Sense Kids Action
2200 Pennsylvania Avenue, NW, 4th Floor East,
Washington, D.C. 20037
(202)-350-9992